

PRIVATE DETECTIVE ADVISORY COMMITTEE
Meeting Notes – No Quorum For Official Meeting
MADISON, WISCONSIN
MARCH 15, 2000

PRESENT: Karen Morales, Gary Peterson, Steven Watson, Robert Hoeg and Johnny Cash

ABSENT: James Krause, Paul Klumb, John Schatzman, Edward O'Brien, David Cihlar and James Gilboy

STAFF PRESENT: Clete Hansen and Becky Fry; Secretary Cummings for portions of the meeting

CALL TO ORDER

The meeting was called to order at 9:39 a.m. by Clete Hansen, upon confirmation that the public notice was timely given.

APPROVAL OF AGENDA

By consensus, the agenda was adopted as published.

Clete Hansen reported that Committee members John Schatzman, James Gilboy and James Krause had informed him that they would be unable to attend the meeting. Mr. Hansen indicated that he will send a letter to Committee members asking them to inform him earlier if they are unable to attend a meeting, so if a meeting has to be cancelled because of no quorum, we can inform other members in advance of them having to travel to Madison for the meeting.

MINUTES (01/19/00)

No Quorum. Therefore, no motion.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Clete Hansen advised Secretary Cummings of a motion the Committee made at a previous meeting to allow the concealed carry of a weapon for individuals providing executive protection.

Members in attendance received a copy of the February 24, 2000, response Secretary Cummings received from the Governor's Task Force on Privacy.

Secretary Cummings informed the members in attendance that private detectives will be able to get personally identifiable information.

Secretary Cummings questioned whether there would be other times when private detectives would want to carry concealed weapons other than just for executive protection. She also asked who would be opposed to this proposal.

Members in attendance explained that Wisconsin Chiefs of Police are opposed to all concealed carry. Members felt that the chiefs of police needed to be informed of the issue of executive protection and the training that private detectives have to carry concealed weapons.

Clete Hansen explained that private detectives are required to take more firearms training than law enforcement officers do.

Secretary Cummings suggested the Committee discuss other situations where a private detective should be able to carry a concealed weapon under certain conditions. She was concerned, however, with the issues of when a person is subject to rage, and one private detective distrusting another and using that as an example of why they are against carrying concealed weapons. Secretary Cummings supported the use of background testing to determine an individual's tendency towards rage and violent acts.

Members in attendance discussed the use of the Minnesota Multiphasic Personality Inventory (MMPI) test for individuals requesting to carry concealed weapons.

Clete Hansen suggested some of the conditions and procedures set up in Senator Zien's bill for all citizens would work well for the executive protection individuals.

Secretary Cummings informed members in attendance that she has changed her position and is in support of private detectives carrying a concealed weapon under certain conditions.

Bob Hoeg suggested that the language regarding carrying concealed weapons should be broadened to "protection" rather than just "executive protection," which would then cover domestic violence protection, etc.

Secretary Cummings indicated her support with the need for pre-licensing education and continuing education.

Bureau Director's Report

- **Roster**

Clete Hansen noted the roster and asked members in attendance to indicate any changes or corrections.

- **Meeting Dates for 2000**

Noted.

Members in attendance received a copy of the March 14, 2000, memo from John Schatzman, identifying his position on some of the agenda issues.

- **Credential Holder Query**

Clete Hansen informed members in attendance that the verification service was now available on the Internet to check on licensees.

OLD BUSINESS

Personally Identifiable Information

Clete Hansen distributed and reviewed the Department of Transportation (DOT) Vehicle/Driver Record Information Request form. He informed members in attendance that he spoke with a DOT representative who informed him that there may be more applications for private detective agency licenses because of a provision on the form identifying the people that will be able to receive driver record information. Mr. Hansen advised that there needs to be meaningful criteria for someone to become a licensed private detective agency.

Members in attendance discussed concerns with licensing without certain criteria. They emphasized their concern with information brokers, selling the information they have obtained.

Local Gun Control

Clete Hansen reviewed William Black's memo regarding concealed carry. Mr. Hansen informed members in attendance that he was contacted by a reporter from the Capitol Times regarding an issue involving a private security company and arming security guards. Mr. Hansen's position to the reporter was a local unit of government cannot prevent a licensed private detective agency from arming its private security people when they abide by our law.

Clete Hansen referred to 1999 AB 605 sponsored by Senator Zien to allow any citizen to carry a concealed weapon if they meet the requirements. Mr. Hansen addressed the issue of pulling certain procedures out of this bill and putting them under a separate bill for the private detectives.

Members in attendance felt it would be a waste of time to try to specifically name circumstances they felt necessary to be allowed to carry a concealed weapon. The committee felt that the legislature should support the issue of private detectives carrying concealed weapons, due to having the same training requirements as law enforcement officers and additional training requirements each year.

Karen Morales indicated the lack of knowledge of what a private detective does might be part of the problem.

Bob Hoeg indicated that the chiefs of police are where the pressure is coming from and they are against anyone carrying a concealed weapon. He agreed that the chiefs need to be educated on

the job of a private detective. He referenced an article stating private investigators are second in the nation in the number of deaths by firearms per one hundred thousand by regulated occupations. Police are below private investigators.

Bob Hoeg discussed raising the current insurance limit of \$100,000 for private detective agencies.

Members in attendance felt the limit should be raised to a minimum of \$1,000,000 if the individuals are to be armed.

Steven Watson felt this would help regulate the licensing of firearms and felt that in general the limit for a private detective agency should be raised to one million dollars.

Gary Peterson felt the minimum requirements in Wisconsin for licensure, continuing education and experience are too low compared with surrounding states.

Members in attendance agreed the standards for private detective licensure must be raised.

Members in attendance discussed the pros and cons of the department issuing concealed carry permits.

Members in attendance recommended the Department of Regulation and Licensing issue the permit and then notify the county sheriff of those who were issued a permit.

Clete Hansen will draft a proposal indicating the conditions required to receive a permit to carry a concealed weapon, including training requirements, \$1,000,000 in insurance, notifying the sheriff when a permit has been issued and when the permit is taken away or has expired. The draft will be included for discussion at the next Private Detective Advisory Committee meeting. Mr. Hansen suggested sending a copy of the proposed legislation to the president of the Professional Association of Wisconsin Licensed Investigators asking what would be required to move the legislation forward and eliminate opposition.

Karen Morales suggested clarifying the language that the head of the agency can approve or deny a firearms permit for certain agents.

Members in attendance discussed the possibility of having a police officer as a member of the Private Detective Advisory Committee.

EXAMINATION OF PRINCIPAL AGENT

No discussion.

EDUCATION

Pre-License Education and Continuing Education

Members in attendance discussed needing different requirements from what are currently in place and felt there needs to be some pre-licensing educational requirements.

Members in attendance discussed task analysis and developing the exam around those tasks and that education should be developed similarly. The exam should establish a minimal level of competency.

Clete Hansen informed members in attendance that an individual can get a private detective agency license without having a private detective license if the individual does not do any investigation for the agency. He recommended that the individual should have to pass the private detective exam.

Members in attendance agreed that the standards should be raised for private detectives as well as agencies and recommended that there should be an exam for the agency owner regardless of whether a sole proprietor or whether employing 50 licensed investigators. Bob Hoeg had some concerns with some of the regulation recommendations.

SCHEDULE NEXT MEETING

The next meeting is scheduled for May 17, 2000 at 9:30 a.m.

ADJOURNMENT

The meeting adjourned at 12:00 p.m.